



THE UNIVERSITY OF ARIZONA

ARIZONA MEDICAL CENTER
TUCSON, ARIZONA 85724

COLLEGE OF MEDICINE

DIVISION OF SOCIAL PERSPECTIVES
IN MEDICINE

April 2, 1974

James H. Lesar
Attorney at Law
1231 Fourth Street, S.W.
Washington, D.C. 20024

RE: March 29, 1974 Correspondence

Dear Mr. Lesar:

Your letter of above date has been received. You are advised that I have in my possession or under my control, through the University Medical Library, approximately 5 - 6 hours of videotape presentations relating to the assassination of President Kennedy, of Senator Kennedy, and of Dr. Martin Luther King (the latter is a 20 minute videotape by Dr. Jerry Francisco).

Should you at any time desire to view these videotapes, I will arrange to have these available for your viewing in our videotape viewing room at the University Hospital.

All of the participants in these seminars are close personal friends of mine, and, I believe, under proper circumstances, would be available for intimate and personal interviews.

Personally, Dr. Cyril H. Wecht and myself differ in many instances from officially published reports based on the alleged forensic autopsy (pathology) reports. Both of us have frequently made comments in opposition to the publicly broadcasted information.

As a former trial lawyer, hailing from the Chicago-Milwaukee area, I spent 20 years of my life defending persons wrongfully accused of heinous wrongs, as well as prosecuting cases for plaintiffs in personal injury and malpractice cases. Therefore, I do have empathy for your cause and would like to see the truth "out" sometime in the near future.

As President-Elect of the American Academy of Forensic Sciences, I am positive that ample numbers of witnesses, having eminent national standing, could be successfully solicited for assistance under proper conditions and safeguards. You may want to give some consideration to this suggestion.

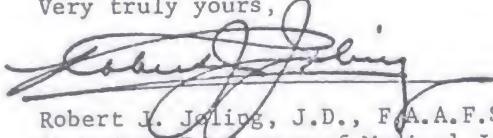
Mr. Lesar
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Incidentally, the alleged "murder" of the Black Panthers is another weird bit of police mayhem that should someday be brought to light.

Forgive my lengthy answer, but I felt it quite important that you have some understanding of my "gut reactions" to these problems.

Your reply will be awaited.

Very truly yours,



Robert J. Jelling, J.D., F.A.A.F.S.
Associate Professor of Medical Jurisprudence

RJJ:leb

Enclosure: Curriculum Vitae

CURRICULUM VITAE

Robert John Joling, A.B., J.D.

Born: January 11, 1925
Lynden, Whatkins County, Washington

Present Position: Associate Professor of Medical Jurisprudence
College of Medicine
University of Arizona
Tucson, Arizona 85724

Education and Degrees:

Pre College Austinville, Iowa
Kenosha, Wisconsin

College: Calvin College
Grand Rapids, Michigan
Bachelor of Arts - 1949

Graduate: Marquette University Law School
Milwaukee, Wisconsin
Juris Doctoris 1951

Admissions to Practice:

Wisconsin Supreme Court 1951

United States District Courts:

Eastern District of Wisconsin 1951

Western District of Wisconsin 1962

State of Arizona 1973

United States Tax Court 1955

United States Circuit Court of Appeals

Seventh Circuit 1955

Seventeen Circuit 1955

Professional Affiliations:

Lepp & Phillips	Associate	1951-53
Robert J. Joling	Sole Proprietorship	1953-57
Joling & Hubbard	Senior Partner	1957-62
Joling & Schwartz	Senior Partner	1962-66
Joling, Schwartz, & Greco	Senior Partner	1966-67
Baker, Juliani, Stanhope, Joling & Greco	Senior Partner	1967-71
University of Arizona College of Medicine	Associate Professor Med. Jurisprudence Special Assistant to the Acting Dean	1971 to present

Professional Memberships:

American Bar Association
Wisconsin State Bar Association
 A. Committee for Integrated Bar
 B. Post Graduate Education Committee
Kenosha County Bar Association
 Executive Committee 1959-60
 Interprofessional Committee
Governor's Commission on Law Enforcement and Crime
 Subcommittee on Scientific Evidence 1967-70 (Wisconsin)
Pima County Bar Association (Associate) 1972
American Arbitration Association
American Trial Lawyers Association
American Academy of Matrimonial Lawyers (Fellow)
American Academy for the Advancement of Science
American Society of Hospital Attorneys
International Academy of Forensic Sciences
International Institute of Traffic Medicine
British Academy of Forensic Sciences
The Forensic Sciences Foundation, Inc.
 Trustee 1969-74
 Secretary-Treasurer 1969-73
 Chairman Pro Tem 1973
 Chairman of the Board of Trustees 1973-74
 Member Project Team - BNDD-71-20
 Narcotic Early Warning Detection System 1971-72
 Member Joint Advisory Committee, LEAA Project
 Assessment, The Forensic Sciences in the Criminal
 Justice Process of America 1973-74
American Academy of Forensic Sciences (Fellow)
 Secretary - Jurisprudence Section 1960 & 1973
 Chairman - Jurisprudence Section 1961
 Council 1960 & 1973
 Co-Program Chairman 1962
 Editor of "What's New" 1964-67
 Executive Committee 1968-71 & 73-74
 Program Chairman 1971
 Plenary Session Speaker 1962-63-68
 Section Program Speaker 1960-73
 Site Committee Chairman 1971-74
 Constitution & Bylaws Committee 1972-73-74
 Vice President 1973-74
 President-Elect 1974
 American College of Legal Medicine 1973

Listings:

"Who's Who in the Midwest" - Marquis Publication
"The World's Who's Who in Finance and Industry" - Marquis Publication
"Leaders in American Science" - Who's Who in American Education, Inc. Pub.
"Personalities of the West and Midwest" - Marquis Publication
"Dictionary of International Biography" - Melrose Press

Author: Official Publications

- 1) Joling, Robert J., J.D., "Legal Commentaries on Suicide by Fire," Journal of Forensic Sciences, Vol. 7, No. 4, October, 1962.
- 2) Joling, Robert J., J.D., "Legal Commentaries on the Forensic Scientist in Court," Journal of Forensic Sciences, Vol. 8, No. 3, July, 1963.
- 3) Joling, Robert J., J.D., "Footprints: Quantum of Proof," Journal of Forensic Sciences, Vol. 13, No. 2, April, 1968.
- 4) Joling, Robert J., J.D., "The Modern Concept of Informed Consent," Arizona Medicine, July, 1972.
- 5) Joling, Robert J., J.D., "The Time of Death," Arizona Medicine, March, 1973.
- 6) Joling, Robert J., J.D., "Educating the Forensic Jurisprudent," Accepted for publication, 1973, Journal of Forensic Sciences, April 1974.
- 7) Joling, Robert J., J.D., "Medical Jurisprudence in Medical Schools, 1973," Accepted for publication, November 1973, Law Medicine Annual, 1974.
- 8) Joling, Robert J., J.D., "Property of the Dead Body," Accepted for publication, December, 1973, Chapter in Forensic Medicine: A Study in Trauma and Environmental Hazards.
- 9) Joling, Robert J., J.D., "Legal Aspects of Emergency Medical Services," Accepted for publication, January, 1974, Journal of Trauma.

Book Reviews:

- 1) Joling, Robert J., J.D., "The Physician and the Law," Reference: Long, Rowland, LL.M., The Physician and the Law, Third Edition, Appleton, Century, Crofts, 1968; Journal of Forensic Sciences, 1969.
- 2) Joling, Robert J., J.D., "A Review of 'Criminal Interrogation and Confession'", Reference: Inbau, F.E., and Reid, J.E., "Criminal Interrogation and Confession," 2nd Edition, William & Williams Co., Baltimore, Md., 1967; Journal of Forensic Sciences, Vol. 18, No. 4, October, 1973.

Forthcoming Publications:

- 1) Joling, Robert J., J.D., "Abortion - Breath of Life - 1973," submitted for publication to Medical Trial Technique Quarterly, 1974.
- 2) Joling, Robert J., J.D., "Informed Consent, Confidentiality and Privilege in Psychiatry," to be submitted for publication in the Bulletin, an official publication of the American Academy of Psychiatry and the Law.
- 3) Joling, Robert J., J.D., Legal Medicine, Gradwold's, 3rd Edition, Co-Authors Lucas, Bernard, M.D. and Camps (Robinson), Anne, M.D., Wright Publishing Co., 1974:
Chapter 9 - "Authority to Examine and Dispose of the Dead"
Chapter 23 - "Therapeutic and Criminal Abortion"
Chapter 24 - "Sexual Offenses, Divorce and Nullity"
Chapter 29 - "Medicolegal Aspects of Therapeutic Substances"

Lecturer:

Case Western Reserve University, Cleveland, Ohio 1967
Kenosha County Bar Association - Wisconsin 1968-69-70
University of Wisconsin 1968
Racine County Bar Association - Wisconsin 1969-70
Walworth County Bar Association - Wisconsin 1970
Life Underwriters Association of Milwaukee, Wisconsin 1970
KTI - Audio-Visual and TV Lecture Series on Civil Procedure 1970
Arizona Medical Association - Phoenix, Arizona 1972-73
Arizona Life Underwriters Association - Phoenix, Arizona 1971
Belli Seminar - Portland, Oregon 1971
University of Amsterdam 1972
University of London Hospital 1972
Ohio Northern Law School, Lima, Ohio 1970
ATLA - Milwaukee, Wisconsin 1969
ATLA - Chicago, Illinois 1968
ATLA - Las Vegas, Nevada 1973
AAFS - University of Illinois, Chicago, 1968
AAFS - Honolulu, Hawaii 1968
AAFS - Kalamazoo, Michigan 1970
AAFS - Phoenix, Arizona 1971
AAFS - Las Vegas, Nevada 1973
AAFS - Dallas, Texas 1974
4th International Institute of Traffic Medicine, Paris, 1972
6th International Meeting of Forensic Sciences, Edinburgh, 1972
Southwestern Clinical Pharmacy Convention 1973
Arizona Medical Association Continuing Education Seminar
University of Arizona, Tucson 1972-73

Lecturer: (continued)

Pima College, Tucson, Arizona 1972-73
Update 1973 - Seminar on "The Nurse and the Law" 1973
University of Arizona, Tucson, Arizona
Western Regional Group on Student Affairs, Asilomar, California 1973
The Western Conference on Criminal and Civil Problems, Wichita, Kansas 1972
Arizona Medical Association - Conference on Medical Malpractice and Arbitration 1973
Arizona Association of Laboratory Technicians, 1973
Arizona Hospital Engineers Association, 1973
Medicolegal Photographers Association, 1973
American College of Surgeons - Trauma Committee 1974
Arizona State Department - Phoenix, 1974
Psychiatry and the Law Seminars - Phoenix, 1974
Institute on Human Values in Medicine - Galveston, 1974
Society of Nuclear Medicine - San Diego, 1974

Lecture Topics:

1. "Bi-Lateral Subdural Hematomata" 1956
2. "Incarcerated vs. Strangulated Epigastric Hernias" 1957
3. "Discovery and Adverse Examination" 1958
4. "The Legal Implications of Organ Transplants" 1962-64-72
5. "Medical Negligence" 1967-71
6. "No Fault Insurance: Social Implications" 1968
7. "Psychedelirious Affluence: The Drug Scene" 1969
8. "Innovation vs. Stagnation" 1970
9. "Medical Jurisprudence: A Needed Interface Between Medicine and Law in Education and Practice" 1971
10. "Amniocentesis: Legal Problems" 1971
11. "Dying Declarations: Fact, Fiction or Myth?" 1972
12. "Medical Records: Third Party Access" 1972
13. "Alcoholism: Socio-Medico-Legal Aspects" 1972
14. "Medico-Legal Reflections on Abortion" 1972
15. "The Legal Theory of Medical Causality" 1973
16. "The Expert Witness" 1973
17. "Medical Jurisprudence: The Battered Baby of Medical and Legal Education" 1972
18. "Abortion: A Medicolegal View" 1973
19. "The HEW Malpractice Commission Report" 1973
20. "Legal Theory of Contracts in Medical Practice" 1973
21. "Concepts of Medical Evidence" 1973
22. "The Doctor in Court" 1973
23. "The Laboratory Technician, Duties and Liability" 1973
24. "The Patient's Advocate" 1974
25. "The Basic Legal Concepts of Psychiatry and the Law" 1973
26. "Nuclear Medicine: Experimentation, Negligence & Informed Consent" 1974
27. "The Legal Concepts in Informed Consent" 1974
28. "State Department Inspectors: Liability for Hospital Safety" 1974
29. "The Patient's Rights and Duties" 1974

Cinematography Seminar Educational Films

Moderator-Producer: Robert J. Joling, J.D.

1. Kempe, C. Henry, M.D. - "The Battered Child Syndrome"
2. Rothblatt, Henry B., J.D. and Tuchler, Maier I., M.D. - "The X-Rated Emotions"
3. Baden, Michael B., J.D. - "Narcotic Deaths and Drug Abuse"
4. Densen-Gerber, J., M.D., LL.B. - "Odyssey House Program for Drug Addicts"
5. Joseff, Mark, J.D., Ph.D. - "Alcoholism: Treatment & Understanding"
6. Cyrus, Andrew, M.D. - "Dissection of the Brain: A Neuropathological Approach"
7. Helpern, Milton, M.D. - "A Post Mortem Medicolegal Autopsy"
8. Luntz, Lester, D.D.S. - "A Forensic Odontologist's Role in Crime Solving"
9. Lucas, Douglas, M.S. - "The Criminalist and Air Fatality Investigation"
10. Birkby, Walter A., M.A. - "The Forensic Physical Anthropologist's Role in Crime Investigation"
11. Wilbur, Charles G., M.D. - "Ecological Pollution of Waterways"
12. Grollman, Arthur, M.D. - "Toxicologists Role in Ecological Problems"
13. Tanay, Emmanuel, M.D. - "Psychiatry in Ecological Deterioration"
14. Weston, James T., M.D. - "Highway Deaths and Injuries in Ecological Distortion"
15. Wecht, Cyril H., M.D., J.D. - "Assassinations of National Personalities"
16. Noguchi, Thomas, M.D. - "Senator Kennedy and the Sharon Tate Murders"
17. Pollack, Seymour, M.D. - "Psychiatric and Legal Problems in Murder"
18. Schwartz, Jay, J.D. - "The Problem with Legal Insanity"
19. Cutts, Robert, M.D. - "Psychiatric Pre-Conditioning or Accident Proneness"
20. Selzer, Melvin, M.D. - "Auto Accidents and the Psychiatric Autopsy"
21. Volz, Robert, M.D. - "Assessment and Prognosis of the Acute Cervical Spine Injury"
22. Alexander, Scott, Senator - "Legislative Involvement in Potential Remedies"
23. Francisco, Jerry T., M.D. - "The Assassination of Martin Luther King".
24. Wecht, Cyril H., M.D., J.D. and Joling, Robert J., J.D. - "The Assassination of President John F. Kennedy"
25. Frey, William, Honorable - "Is Society Ready to Face the Reality of Terminal Treatment?"
26. Thorup, Oscar, M.D. - "The Medical Doctor's Dilemma"
27. Pedrick, Willard, J.D. - "The Metaphysical and Legal Determinants in Death"
28. Murphy, Jeffrie, Ph.D. - "The Philosophy of Death"

Seminar Cinematography Presentations Schedule for 1974 Filming:

1. Ogden, David, M.D. - "Dying is a Problem for Young and Old"
2. Schroeder, Oliver, J.D. - "The Patient Has A Choice"
3. Anderson, Robert, M.D. - "Preparing the Doctor and the Nurse to Handle the Inevitable"
4. Wecht, Cyril, M.D., J.D. - "Societal Understanding and Acceptance"
5. Ogden, David, M.D. - "Dialysis: Hope for the Living or Dying"
6. Zukoski, Charles, M.D. - "Homotransplantation: A Chance for Life and Death"
7. Schroeder, Oliver, J.D. - "The Right to Life vs. the Right to Die: Is It a Religious, Medical or Legal Question?"
8. Anderson, Robert, M.D. - "Medical Electives in Surgery for the Terminal Patient"
9. Tuchler, Maier, M.D. - "Maintaining the Integrity of the Profession"
10. Thompson, Hugh, M.D. - "Children Die Too!"
11. Morrow, Grant, M.D. - "Amniocentesis: Pre-Birth Determinants"
12. Wainscott, Paul, M.D. - "Death and the Family"
13. Pollack, Herbert, M.D. - "Educating the Professional"

AREAS OF CONSULTATION

1. Hospital Incident Reports
2. Hospital Constitution & Bylaws
3. Hospital Staff Bylaws
4. Hospital Policies and Procedures
5. Hospital Consent Forms
6. Courtroom Use of Library Materials
7. Powers of Attorney
8. Disposal of State Personal Property
9. Legal Aspects of Purchasing
10. Disposition of Bullet Slug from Patient
11. Consent for Research Study of Enzymes
12. Abortion Decisions and Regulations
13. Consent to Treat Minor in Custody of Day Care Center
14. Continuing Consent of Parents to Treat Minor
15. HEW Obligated Funds Appropriated in P.L.92-334
16. Conditions of Admission to Hospital
17. Educational Service Agreement; Health Profession Scholarships Program
18. Sponge Counts; Utilization of Surgical Technician
19. Donor Consent for Minor Mexican National
20. Admission Referrals
21. Medical Malpractice Insurance
22. Articles of Incorporation for Marana Community Clinic
23. Barry Plan; Effect on Medical School Graduates after July, 1973
24. Continuing Consent for Hemodialysis
25. The Role of Physicians' Assistants under Arizona Law.
26. The Role of Technicians Within the Hospital
27. Estates; Donations or Beneficiary
28. Malpractice Coverage for Non-Auxillary Volunteers
29. Validity of Accounts Due
30. Complaints and Grievances Involving Medical Doctor
31. Uniform Anatomical Gift Acts
32. Certificates of Resolution for National Foundation Grants
33. Volunteer Services; Hospital Auxillary
34. Contracts with Health Planning Authority
35. Legal Status of Fellows; Academic Rank
36. Pharmacy Regulations
37. Medical Records
38. Community and University Agreements
39. Treatment of University Students; Medical
40. Wages and Salary; What Constitutes Either?
41. Legal Functions & Status of Interns & Residents as Hospital Employees
42. Emergency Requests for Uncrossmatched Blood
43. Proposed Emergency Rescue Procedures in Heart Attack Cases
44. Medical Service Plan
45. Autopsy: Infant of Minor Unwed Mother
46. Labor and Minimum Wage Law for Technicians
47. The Unconscious Patient & Blood Sampling: Need for Consent
48. Health Maintenance Organizations

49. Hospital Committees
50. Emergency Room Procedures
51. University Parking Regulations
52. Domestic Relations Problems of Students
53. Student Disciplinary Action: Due Process
54. Student Admission Policies: Medical School
55. The Role of Physical Therapist
56. Student Problems: Landlord & Tenant
57. Student Problems: Personal Injury
58. Traffic Citations: Students & Faculty
59. Hospital Interrelationships with Student Health Facilities
60. Institutional Review Committee
61. Implementation of Medical Jurisprudence into Curriculum
62. Annual Re-Inspection for Licensure
63. Assisting Injured Mexican National: Personal Injury Recovery
64. Master Hospital Agreements
65. Handling of Subpoenas
66. Unnecessary Delay in Signing Death Certificates
67. Laws Affecting Medical Treatment of Minors Without Parental Consent
68. The Age of Majority: Emancipation of Minors
69. Payment of Accounts by Parents of Minor's Legal Liability
70. Claims Against Estate for Services Rendered Deceased
71. Use of Hexachlorophene in Infant Bathing
72. Liability for Infection from Unclean or Non-sterile Instruments
73. Hospital Bacteria Producing Agents
74. Defective Instruments: Latent Defects and Strict Liability
75. Dispensing Methotrexate
76. Interns and Residents Working at Other Hospitals
77. Suprapubic Bladder Aspiration in Babies
78. Primary and Secondary Insurance Coverage
79. Alcohol Influence Report Forms
80. Employment of Aliens in Public Institutions
81. The Use of Medical Technicians in the Emergency Room

OUTLINE OF ADMINISTRATIVE POSITIONS

1. Attorney at Law
 - A. Sole Proprietor 1953-57
 - B. Senior Partner 1957-71
In this capacity, total office procedure, hiring of personnel, unemployment and workman's compensation regulations, tax matters, business and corporate law, purchasing, and assignment of legal cases afforded a wide range of experience.
 - C. State and Local Bar Associations
In this area experience on the various committees dealing with mandatory membership in the bar prior to practice, post graduate education, and interprofessional committees allowed and provided insight into administrative regulations and problems within the profession.
 - D. Governor's Law Enforcement and Crime Commission Sub-Committee on Scientific Evidence (Wisconsin) 1969-70
In this capacity familiarization with a State administrative legislative committee was experienced. Coupled with prior experience with various State and Federal Administrations e.g., Social Security, Unemployment Compensation Commissions, and Workman's Compensation Commissions, exposure to administrative procedures was broadened.
2. National Professional Organizations
 - A. The American Academy of Forensic Sciences
The administrative experience garnered by reason of being exposed over the past 14 or 15 years includes the following activities:
 - 1) Secretary-Jurisprudence Section both in 1960 & 1973.
 - 2) Chairman - Jurisprudence Section -1961
 - 3) Council Member - 1960 & 73
 - 4) Co-Program Chairman (Annual Meeting) 1962
 - 5) Editor of "What's New" 1964-67
 - 6) Program Chairman (Annual Meeting) 1971
 - 7) Constitution & Bylaws Committee 1968, 1972-74
 - 8) Site Committee Chairman 1971-74
 - 9) Executive Committee 1968-71, 1973-74
 - 10) Nominee - President-Elect 1974
In each of these respective areas of participation, certain logistical and administrative problems were encountered and successfully completed.
 - B. The Forensic Sciences Foundation, Inc.
The administrative experience obtained in this organization has included the following activities:
 - 1) Trustee 1969-74
 - 2) Secretary-Treasurer 1969-73
 - 3) Chairman Pro-Tem 1973
 - 4) Chairman of the Board of Trustees 1973-74

During this period of time I served as a Project Advisor on the "Early Warning Narcotic Detection System," BNDD-71-20, successfully concluded in early 1972 for the Bureau of Narcotics and Dangerous Drugs.

In addition I am presently serving on the Joint Advisory Committee for the "Assessment of the Forensic Science Profession," (Project 73-N1-99-1152-G) for the Law Enforcement Assistance Administration.

The administrative experience obtained by service in these areas has given insight into Federal Administrative regulations, programs, and policies.

3. Local Administrative Positions

- A. Deacon - United Presbyterian Church - U.S.A.
- B. Director - Kenosha County Blood Bank 1955-57
- C. Past President Optimist International - Kenosha, Wisconsin
- D. Legal Consultant - Kenosha County Conservation Club

These administrative exposures have assisted in increasing knowledge and appreciation for ecclesiastical bodies, politics, service organizations and community organizations with their related problems and solutions.

4. Medically Oriented Administrative Assignments at University Hospital and the University of Arizona College of Medicine

- A. Special Assistant to Acting Dean 1971-72
- B. Ad Hoc Legal Consultant to the Hospital 1971-74
- C. Associate Professor of Medical Jurisprudence 1971-74

In this capacity it has been a privilege to administratively advise, consult, and write concerning a multitude of administrative problems. Also, medicolegal education for pharmacy, nursing, laboratory technicians, safety engineers, medical students, medical staff, local, state and national medical societies and organizations have been interdigitated with the teaching of medical jurisprudence. The preparation of cinematography and audiovisual teaching modalities has also played a role in effectively programming institutional viability of public relations within the community.